

### **Remarks and Arguments**

Claims 1-4, 6, 7, 9 and 10 are pending in this application.

#### **I. Double Patenting**

Claims 1-4, 7, 9 and 10 stand provisionally rejected as allegedly unpatentable over claims 1-10 and 12-18 of co-pending Application No. 11/040,691 on the ground of non-statutory obviousness-type double patenting. While disagreeing with the rejection Applicants have nonetheless decided to submit a terminal disclaimer over co-pending Application No. 11/040,691. Applicants believe the terminal disclaimer obviates the rejection and also obviates the objection to claims 6 and 9.

### **CONCLUSION**

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

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Appl. No. 10/805,099  
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Atty. Docket No. 099/004P  
Amendment and Response to Office Action

Please grant any extensions of time required to enter this filing and charge any additional required fees to our deposit account No. 07-1139, referencing the docket number indicated above.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "E. Stewart Mittler", written over a horizontal line.

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